



**Land Acquisition
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

AGENDA ITEM NO.: 6
AGENDA DATE: Thu 05/13/2004
PAGE: 1 of 1

SUBJECT: Approve resolution to authorize the acquisition of a wastewater easement comprised of 3,695 square feet of land, a wastewater easement comprised of 1,740 square feet of land, a temporary working space easement comprised of 3,960 square feet of land, an access easement comprised of 2,333 square feet of land, a lateral support (slope) easement comprised of 1,042 square feet of land, and a wastewater line easement for subterranean tunnel comprised of 1,485 square feet of land out of a portion of the George W. Spear League, Survey No. 7, in Travis County, TX, located at 1101 W. 31st Street, from Fred C. Myers and Jennifer Staub Myers in the amount not to exceed \$58,246 for the Austin Clean Water Program: Shoal Creek Wastewater Improvements/29th to 34th Street (Tunnel) Project.

AMOUNT & SOURCE OF FUNDING: Funding is included in the Fiscal Year 2003 - 2004 Capital Budget of the Austin Water Utility.

FISCAL NOTE: A fiscal note is attached.

REQUESTING Public Works **DIRECTOR'S**
DEPARTMENT: for Austin Water Utility; **AUTHORIZATION:** Sondra Creighton

FOR MORE INFORMATION CONTACT: Lauraine Rizer, 974-7078; Laura Bohl, 974-7064

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: N/A

The City of Austin is upgrading its wastewater collection system as mandated by the U.S. Environmental Protection Agency's Administrative Order, received April 29, 1999, requiring the City to eliminate Sanitary Sewer Overflows from the wastewater collection system.

In response to the U.S. Environmental Protection Agency's Administrative Order, the City of Austin has assembled the Austin Clean Water Program to plan, design, and construct sustainable wastewater collection system improvements that will result in a collection system free from Sanitary Sewer Overflows.

The design plans for the Austin Clean Water Program's Shoal Creek Wastewater Improvements/29th to 34th St. (Tunnel) Project require the acquisition of a wastewater easement comprised of 3,695 square-feet of land, a wastewater easement comprised of 1,740 square-feet of land, a temporary working space easement comprised of 3,960 square-feet of land, an access easement comprised of 2,333 square-feet of land, a lateral support (slope) easement comprised of 1,042 square-feet of land, and a wastewater line easement for subterranean tunnel easement comprised of 1,485 square-feet of land across property located at 1101 W. 31st St., Austin, TX.

An independent third-party appraisal has established the combined fair-market value of the proposed easements at \$58,246. The owners have agreed to accept the City of Austin's offer of \$58,246 for the wastewater easement comprised of 3,695 square-feet of land, a wastewater easement comprised of 1,740 square-feet of land, a temporary working space easement comprised of 3,960 square-feet of land, an access easement comprised of 2,333 square-feet of land, a lateral support (slope) easement comprised of



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1,042 square-feet of land, and a wastewater line easement for subterranean tunnel easement comprised of 1,485 square-feet of land.

RESOLUTION NO. 04

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The Council authorizes the acquisition of a wastewater easement comprised of 3,695 square feet of land, a wastewater easement comprised of 1,740 square feet of land, a temporary working space easement comprised of 3,690 square feet of land, an access easement comprised of 2,333 square feet of land, a lateral support (slope) easement comprised of 1,042 square feet of land, and a wastewater line easement for subterranean tunnel comprised of 1,485 square feet of land out of a portion of the George W. Spear League, Survey No. 7, in Travis County, Texas, located at 1101 W. 31st Street, from Fred C. Myers and Jennifer Staub Myers in the amount not to exceed \$58,246 for the Austin Clean Water Program: Shoal Creek Wastewater Improvements/29th to 34th Street (Tunnel) Project.

ADOPTED: _____, **2004** **ATTEST:** _____
Shirley A. Brown
City Clerk

CIP FISCAL NOTE

DATE OF COUNCIL CONSIDERATION:
WHERE ON AGENDA:
DEPARTMENT:

5/13/2004
Resolution
Austin Water Utility

DESCRIPTION:

Approve resolution to authorize the acquisition of a wastewater easement comprised of 3,695 square feet of land, a wastewater easement comprised of 1,740 square feet of land, a temporary working space easement comprised of 3,960 square feet of land, an access easement comprised of 2,333 square feet of land, a lateral support (slope) easement comprised of 1,042 square feet of land, and a wastewater line easement for subterranean tunnel easement comprised of 1,485 square feet of land out of a portion of the George W. Spear League, Survey No. 7, in Travis County, TX, located at 1101 W. 31st Street, from Fred C. Myers and Jennifer Staub Myers in the amount not to exceed \$58,246 for the Austin Clean Water Program: Shoal Creek Wastewater Improvements/29th to 34th Street (Tunnel) Project.

FINANCIAL INFORMATION:

Parent Project Name: Wastewater Unfunded Future
Project Authorization: 2003-04 Approved Capital Budget
Funding Source: Commercial Paper
Number: 4570 237 2017

Current Appropriation	\$ 410,907,293.00
Unencumbered Balance	179,774,577.79 *
Amount of This Action	<u>(58,246.00)</u>
Remaining Balance	<u>\$ 179,716,331.79</u>
Current Available Balance	\$ 189,092,693.17
Less Outstanding Commitments	<u>(9,318,115.38)</u>
Estimated Unencumbered Balance	<u>\$ 179,774,577.79 *</u>

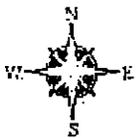
Utility Finance: _____


David Anders, Utilities Finance Manager

Date: _____

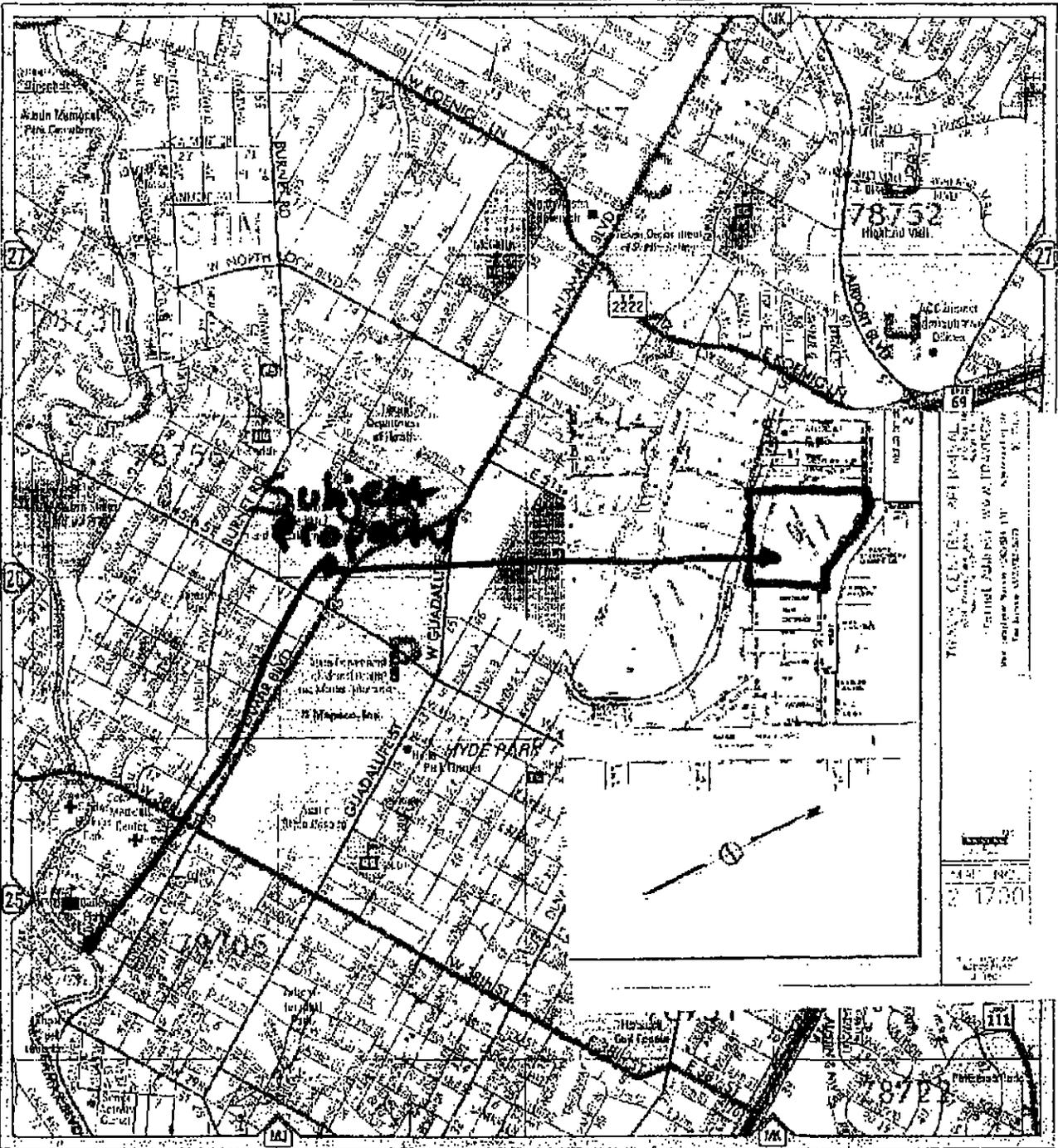
4/22/04

REF. #4570 237 8584



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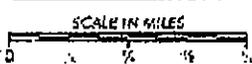


Map information block containing:
- A north arrow pointing towards the top right.
- A scale bar labeled 'SCALE IN FEET' with markings at 0, 1000, 2000, and 3000.
- Text: 'MAP NO. 555', '2 1730', '© 1993', '1:50,000'.

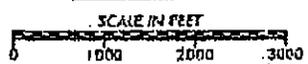
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